IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

WEDNESDAY, THE 27TH JUNE, 2007 / 6TH ASHADHA, 1929

WP(C).No. 18546 of 2007(G)

PETITIONER:

V.S. MARIYA BEEVI, W/O.LATE MUSTAFA,
SHAMILA, PALARIVATTOM, ERNAKULAM.

BY ADV. SRI.K.A.HASSAN

RESPONDENTS:

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1. STATE OF KERALA,
REPRESENTED BY THE DISTRICT COLLECTOR, KOTTAYAM.

2. REVENUE DIVISIONAL OFFICER, KOTTAYAM.

3. TAHSILDAR, KANHIRAPPILLY.

4. P.P. CHERIYAN,
PUTHEN PEEDIKAYIL, MUNDAKKAYAM.

5. ELSY JOHN PULIMOOTTIL,
R.P.C. (PO), VANDAMPATHAL.

6. JOSHY R. PULIMOOTTIL,
R.P.C. (P.O), VANDAMPATHAL.

7. JOBBIN, S/O. JOHN P.J.PULIMOOTTIL,
R.P.C. (PO), VANDAMPATHAL.

8. G.M.MATHEW,
GANAPATHY PLAKKAL, MUNDAKKAYAM.

9. P.M. ANTONY, S/O. MICHAEL,
PUTHIYAPARAMBIL HOUSE, EDAKKUNNAM.

10. K.R.BABU, S/O. RAPPEL,
KALKUZHY VEEDU, KARUNILAM P.O., MUNDAKKAYAM.

11. JOHN SCARIYA,
MANIYAM KUNNEL, VANDAMPATHAL P.O., MUNDAKKAYAM.

12. R. MOHAN, S/O. RAJAPPAN,
NIRAPPEL HOUSE, 31ST MILE, MUNDAKKAYAM.

13. M.BHASKARAN,
LIJO BHAVAN, CROSS WAY JUNCTION, MUNDAKKAYAM.

14. MRS.MARY CHACKO, W/O.LATE K.V.CHAKO,
KALLOPARAMBIL HOUSE, KARUNILAM P.O.,MUNDAKKAYAM.

15. SANJU CHACKO, S/O.LATE K.V.CHAKO,
KALLOPARAMBIL HOUSE, KARUNILAM P.O.,MUNDAKKAYAM.

16. RANJU CHACKO, S/O.LATE K.V.CHAKO,
KALLOPARAMBIL HOUSE, KARUNILAM P.O.,MUNDAKKAYAM.

17. MANJU JACOB, D/O.LATE K.V.CHACO,
KARUNILAM.P.O., MUNDAKKAYAM.

18. K.V.KURIAN, POTTANKULATH, KOOTTOKAL.P.O., MUNDAKKAYAM.

19. SECRETARY, KERALA MOTOR WORKERS CONGRESS, MUNDAKKAYAM.

20. SECRETARY, KETALA STATE ESTATE LABOUR UNION (INTUC),
K.S.E.L.O, REG.NO.57/50, MUNDAKKAYAM.

21. SECRETARY, KERALA NIRAMANA THOZHILALI CONGRESS (I),
MUNDAKKAYAM.

22. SECRETARY, KERALA HOTEL & GENERAL WORKERS CONGRESS,
MUNDAKKAYAM.

23. SECRETARY, CONGRESS (I), BLOCK COMMITTEE OFFICE,
MUNDAKKAYAM.

24. MUNDAKKAYAM DINESAN, PROP.M.D.LIGHTS & SOUNDS,
MUNDAKKAYAM.

25. ELIAMMA JOSEPH, W/O.LATE P.D.JOSEPH, PUTHUPPARAMBIL,
MUNDAKKAYAM.

26. MARITTA JOSEPH, W/O.DINES MURICKEN, PUTHUPPARAMBIL,
MUNDAKKAYAM.

27. MARY JOSEPH, W/O.JOSEPH SCARIA, PUTHUPARAMBIL,
CHITTADY, MUNDAKKAYAM.

28. P.J.CHACKO, S/O.LAGE P.D.JOSEPH, PUTHUPPARAMBIL,
MUNDAKKAYAM.

29. P.J.DOMINIC, S/O.LATE P.D.JOSEPH, PUTHUPPARAMBIL, MUNDAKKAYAM.

30. SECRETARY, INTUC, MUNDAKKAYAM.

31. SECRETARY, THIRUKOCHI TOTTAM THOZHILALI UNION, REG.NO.280/70, INTUC, MUNDAKKAYAM.

32. HEADLOAD TIMBER GENERAL WORKERS UNION (INTUC) REG.NO.0511/91, MUNDAKKAYAM.

R1 TO R3 BY GOVT. PLEADER SRI.I.V.PRAMOD.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 27/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S. SIRI JAGAN, J.

WP(C) NO.18546 OF 2007 - G

Dated this the 27th day of June, 2007

J U D G M E N T

The petitioner is the owner of a building at Mundakkayam. Now a portion of the building is sought to be demolished on the ground of encroachment. The apprehension of the petitioner is that the tenants, who are occupying the building, may after the demolition of the part of the building reconstruct the building itself and he wants a direction to respondents 1 to 3 to ensure that no permission oral or written is to be granted to the tenants. The petitioner has filed Ext.P2 representation before the District Collector in this regard. She seeks a direction to the District Collector to dispose of the same, expeditiously.

2. I have heard the learned Government Pleader also.

3. In the facts and circumstances of the case, there will be a direction to the District Collector, Kottayam

(first respondent) to consider Ext.P2 and pass appropriate orders thereon as expeditiously as possible, at any rate within a period of two weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

Sd/-

S. SIRI JAGAN,
Judge

Mbs/

-True Copy-

P.A.to Judge.

S.SIRI JAGAN, J

W.P.(C) NO. OF 2001

J U D G M E N T

DATED:01-06-2007